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SIPDIS

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TAGS: [PGOV](#) [KPAL](#) [KWBG](#) [PREL](#)
SUBJECT: MORE CONSTRUCTION AT KOCHAV YA'AKOV SETTLEMENT IN
WEST BANK

Classified By: DPO Greg Marchese, for reasons 1.4 (b) and (d)

11. (SBU) Summary. At least 12 new caravans have been "illegally" constructed in Kochav Ya'akov settlement since June 2009, according to ConGen's NGO contacts. PolOff observed 12 new caravans, which appear to be uninhabited. The Local Council of Kfar Aqab village, with the assistance of Israeli NGO Yesh Din, filed a petition to the High Court of Justice on August 13, claiming that the caravans have been constructed on private Palestinian land. NGO contacts note that many settler homes in Kochav Ya'akov have been built on Palestinian land. End summary.

At least 12 caravans "illegally"
constructed in Kochav Ya'akov since June

12. (C) According to Peace Now's Settlement Watch Director, Hagit Ofra, 12 to 15 new caravans have been "illegally constructed" in Kochav Ya'akov settlement since June 2009, on a plot of land that lies beyond the border of the settlement's approved master plan. (Note: Kochav Ya'akov lies east of the security barrier, south-east of Ramallah. End note.) Ofra said that Peace Now's most recent aerial survey revealed that, at the end of June, land was being prepared for new construction on the north-east edge of the built-up area of Kochav Ya'akov, but, at the time, no caravans had been built. (Note: Peace Now's aerial photo of Kochav Ya'akov is available on ConGen Jerusalem's classified homepage, under Political Reporting Attachments. End Note.) PolOff visited the area around Kochav Ya'akov on August 13 and observed 12 new caravans that appeared to be uninhabited. From afar, PolOff did not observe any construction material or construction activity at the site.

NGO Yesh Din files a petition
with the High Court of Justice

13. (C) Dror Etkes of Israeli NGO Yesh Din informed PolOff on August 13 that, earlier that morning, Yesh Din filed a petition with the Israeli High Court of Justice (HCJ) on behalf of the Local Council of Kfar Aqab, a Palestinian village near Kochav Ya'akov. Etkes noted that the Local Council of Kfar Aqab is the official petitioner in the case, but Yesh Din is providing legal assistance. According to Etkes, the petition calls for the new caravans at Kochav Ya'akov to be dismantled, on the grounds that the construction is illegal and that the caravans are being built on private Palestinian land belonging to Kfar Aqab. Etkes admitted that the Kfar Aqab Local Council does not possess land ownership documents, nor does the Council know exactly which family owns the land on which the caravans have been

built.

¶4. (C) Etkes informed PolOff that, on the afternoon of August 13, the HCJ issued a decision to hold a hearing on the case. Etkes expressed disappointment in the HCJ's decision, noting that this allows settlers time to complete construction and move into the homes. Etkes cautioned that, if the caravans are inhabited by the time the hearing is held, it is unlikely that the HCJ will order the caravans evacuated.

Many homes in Kochav Ya'akov already
built on Palestinian land

¶5. (C) Ofra and Etkes both emphasized that the current construction is not the first example of homes in Kochav Ya'akov being built on Palestinian land. According to Ofra, there are more than 50 "illegal" homes in Kochav Ya'akov that were constructed on land belonging to nearby Palestinian villages. Etkes estimated that 150-200 inhabited homes in Kochav Ya'akov were "illegally constructed" on Palestinian land a decade ago, adding that, once homes are occupied, it becomes much more difficult to legally challenge their construction.

WALLES